

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARION CEDRIC STARKS,

No. CV-08-5490 MMC (PR)

Petitioner,

JUDGMENT IN A CIVIL CASE

v.

MICHAEL HENNESSEY,

Respondent.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED the instant petition is hereby DISMISSED. Such dismissal is without prejudice to petitioner's filing a new federal habeas petition once he has exhausted his state remedies by presenting his claims to the highest state court.

Dated: December 18, 2008

Richard W. Wieking, Clerk

Tracy Lucero

By: Tracy Lucero
Deputy Clerk